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Counsel for Proposed Intervenor-Defendant

Atlantic Shores Offshore Wind, LLC

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

SAVE LONG BEACH ISLAND AND ROBERT
STERN,

Plaintiffs,

v.

U.S. DEPARTMENT OF COMMERCE; GINA
RAIMONDO, in her official capacity as Secretary
of Commerce; NATIONAL MARINE
FISHERIES SERVICE; and JANET COIT,
in her official capacity as Director, National
Marine Fisheries Service,

Defendants.

Case No.: 3:23-cv-01886-ZNQ-JBD

Judge Zahid N. Quraishi

Magistrate Judge J. Brendan Day

REQUEST TO ADVANCE MOTION DAY ON MOTION TO INTERVENE

Proposed Intervenor-Defendant Atlantic Shores Offshore Wind, LLC (“Atlantic Shores”) requests that the Court consider advancing the motion day of Atlantic Shores’ contemporaneously filed Motion to Intervene from June 5, 2023, to May 15, 2023, and in support thereof states as follows:

1. Plaintiffs in this case challenge the validity of federal authorizations issued by the federal agency Defendants to certain offshore wind energy project developers, including Atlantic Shores. Atlantic Shores moves to intervene to defend the validity of these authorizations. *See* ECF No. 13. Atlantic Shores' motion currently has a June 5, 2023 Motion Return Day.

2. Another offshore wind energy project developer, Proposed Intervenor-Defendant Ørsted North America Inc. ("Ørsted"), also has filed a motion to intervene in this case. *See* ECF No. 9. Ørsted's motion, filed April 21, 2023, is set for the May 15, 2023 Motion Return Day. Plaintiffs do not oppose Ørsted's motion. ECF No. 10.

3. Plaintiffs and Ørsted have informed Atlantic Shores that they do not oppose its motion to intervene, and Defendants have informed Atlantic Shores that they take no position as to the motion.

4. Ørsted's and Atlantic Shores' motions both request that, if intervention is granted, the intervenors be permitted to file their responsive pleading at the same time as, or shortly after, June 12, 2023, when Defendants' motion is due.

5. In view of the fact that Atlantic Shores' motion to intervene, like Ørsted's, is unopposed, advancing the Motion Return Day for Atlantic Shores' motion from June 5, 2023 to May 15, 2023, may contribute to the efficient management of this matter, as the Court could consider the relevant intervention standards and facts at the same time, rather than sequentially. In addition, if the motions are granted, Ørsted and Atlantic Shores would be able to begin case management coordination with the other parties at the same time.

For the foregoing reasons, Atlantic Shores respectfully suggests that the Court consider advancing the Motion Return Day for its Motion to Intervene to May 15, 2023.

Respectfully submitted,

/s/ Courtney Devon Taylor

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Dated: May 15, 2023

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